

United States Senate

WASHINGTON, DC 20510-0907

COMMITTEES:

ARMED SERVICES

COMMERCE, SCIENCE  
AND TRANSPORTATION

SPECIAL COMMITTEE ON AGING

March 23, 2010

Honorable Bill McCollum  
Attorney General of the State of Florida  
The Capitol PL-01  
Tallahassee, FL 32399-1050

Dear Attorney General McCollum:

I commend your continued efforts to highlight the unconstitutional nature of the healthcare reform legislation the President has just signed into law. While we can all agree our nation's healthcare system is in need of reform, reform must be consistent with our Constitution and our commitment to individual liberty and responsibility.

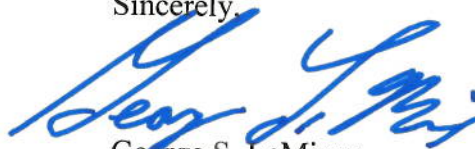
The healthcare reform bill that the President has signed today contains a requirement that all Americans purchase health insurance or face a substantial financial penalty. *See*, Title I, Subtitle F, Part I, § 1501 of the Senate modification to H.R. 3590 ("Individual Responsibility – Requirement to Maintain Minimum Essential Coverage").

As you have previously outlined in a January 19, 2010, letter to the Congressional leadership, there are necessary limits to Congress's power to regulate the conduct of individual Americans. Those limits are fundamental to our constitutional structure and the individual liberty we enjoy as Americans and Floridians.

In both *United States v. Lopez*, 514 U.S. 549 (1995) and *United States v. Morrison*, 529 U.S. 598 (2000), the Supreme Court struck down federal statutes because they addressed activity that did not substantially affect interstate commerce and thus exceeded Congress's commerce clause authority. In other words, a law that requires individuals to purchase health insurance exceeds Congress's law-making authority and should be struck down as unconstitutional.

I am encouraged by your efforts to work with other Attorneys General to bring a lawsuit challenging the constitutionality of this new healthcare law. I, and many of my Senate colleagues, stand with you in this fight.

Sincerely,



George S. LeMieux  
United States Senator